

**PLANNING COMMISSION  
CITY OF BRIGHTON  
AGENDA  
DECEMBER 20, 2010**

**BLUE SKY SESSION – 7:15 pm**

Regular Session – 7:30 pm

1. Call to Order/Roll Call
2. Call to the Public
3. *Approval* of the November 15, 2010 Minutes
4. *Approval* of the December 20, 2010 Agenda

**Old Business**

5. Discussion on the Michigan Medical Marihuana Act – Law 1 of 2008

**New Business**

6. Site Plan – North and West Street Streetscape Improvements #10-010
7. Preliminary Site Plan – The Pound Roof Top Dining – 139 W. Main Street #10-011

**Other Business**

8. Siford/E.D. Ewing/Greimel Nominations
9. Staff Updates
  - a. Traffic Safety Board Liaison – Term Indefinite
10. Call to the Public
11. Adjournment

**City of Brighton  
Planning Commission  
Minutes  
December 20, 2010**

**1. Call to Order/Roll Call**

Chairperson Monet called the meeting to order at 7:30 pm. The following were present:

Al Wirth  
Larry Schillinger  
William Bryan  
John Wells  
Steve Monet  
Matt Smith  
David McLane  
Dave Petrak  
Bob Pawlowski

Also present were Amy Cyphert, Lauri French and Matt Modrack and an audience of seven.

**2. Call to the Public**

The call to the public was made at 7:31 p.m. with no response.

**3. Approval of the November 15, 2010 Minutes**

**Moved** by Mr. Petrak, seconded by Mr. Smith, to approve the November 15, 2010 minutes as presented. **The motion carried unanimously.**

**4. Approval of the December 20, 2010 Agenda**

As discussed in the Blue Sky session, Item 6. on the agenda under New Business should be moved to Old Business as it was tabled from the November 15 meeting. **Moved** by Mr. Wells, seconded by Mr. Pawlowski, to approve tonight's agenda as amended. **The motion carried unanimously.**

**Old Business**

**5. Discussion of the Michigan Medical Marihuana Act – Law 1 of 2008**

Ms. Cyphert had explained in the Blue Sky session that this item has remained under Old Business on the past several meeting agendas due to the many changes taking place (proposed changes to the law, moratoriums by communities, lawsuits, etc.) and the Board will have to further discuss the issue at upcoming meetings. She advised that the Board's questions from the November 15, 2010 meeting have been sent to the City Attorney's office but she has not received a response to date. Motion by Mr. Bryan, seconded by Mr. Schillinger, to table this item until the Planning Commission meeting on January 24, 2010.

**6. Site Plan – North and West Street Streetscape Improvements #10-010 (tabled at 11/15/10 meeting).**

**Moved** by Mr. Wells, seconded by Mr. Wirth, to bring this item back to the table for discussion at tonight's meeting. **Motion carried unanimously.**

Ms. Cyphert noted that the architect is in the audience if the Board members had any questions. Mr. Piet Lindhout, Lindhout Associates, noted that the project revisions requested by the Planning Commission

were discussed and supported unanimously at the November 16, 2010 meeting of the Downtown Development Authority (DDA). He reviewed the revised site plan and noted that the center area of the crosswalk has been removed and the grade raised, consistent with the crosswalk at Hyne and Main. Mr. Lindhout was asked if any curb has to be removed and he responded that the curb stays. As stated in the Planning Report, the revisions will add approximately \$50,000 to the cost of the project.

**Moved** by Mr. Smith, seconded by Mr. Bryan, to recommend site plan approval for the City of Brighton North and West Street Streetscape Projects as depicted on the site plan prepared by Lindhout Associates Architects, Job #1035, sheets C1, C2, C3, C4 & C5, last dated 11/19/10 and site plan prepared by Kem-Tec & Associates, Job #10-02422, sheet C6, last dated 7/12/10. The approval is subject to the following conditions:

1. That the Fire Department and City Engineers review the plans during the building permit process.

**Motion carried unanimously.**

### **New Business**

#### **7. Preliminary Site Plan – “The Pound” Roof Top Dining – 139 W. Main Street #10-011**

Ms. Cyphert explained that the Board would be reviewing a preliminary site plan for roof top dining at a new restaurant to be located in the former Singer Press building at 139 W. Main St. She noted that the applicants and architect are in the audience if the Board has any questions. Mr. Piet Lindhout, Lindhout Associates, stated that he was authorized by the DDA to provide two hours of design service at no cost to the applicants. He reviewed the proposed building sketch and noted a wood deck at the back of the building, an exterior stairway leading to the roof as well as an interior stairway also leading to the roof. He noted that the Michigan Construction Code requires a snow load of 2 lb/sq. foot on the roof and that the seating area will be loaded at 100 lb/sq. foot. There will be two exits from the roof top via the stairways. The City of Brighton ordinances currently contain nothing specific about roof top dining.

Mr. Lindhout also noted that the two-story stairwell would be visible from Grand River and Main. The proposed construction materials on the exterior will consist of metal panels and brick, with “overhead” glass doors off West St. There will be metal rails on the roof and a structural trellis for lighting and sound speakers, which will be pointed downward to avoid excess noise levels.

Mr. Kevin Montagano, one of the partners in “The Pound” along with Randy Tobbe and Brian Mexico, explained their vision of a family-oriented sports bar with a “Buffalo Wild Wings” type of atmosphere, focused on youth sports (i.e., team dinners) to foster a sense of community. He envisions a simple and affordable menu, and they plan to broadcast Brighton away games live and home games after the game is over via the Internet.

The Board members were generally in agreement that this was a well thought out plan and The Pound and the roof top dining would be a good addition to downtown. Board Member Schillinger noted that there may be a need to “load up” the site plan; he likes the plan but the Board needs to consider the homeowners and be sensitive to their concerns. Mr. Randy Tobbe noted that the roof top dining area would be open in the spring until the fall (perhaps Memorial Day to Labor Day, depending on the weather). There was discussion about a couple of issues – the impact on parking and the Police Chief’s concerns about noise, and it was agreed these could be handled through the site plan review process. Board Member Petrak voiced a concern about roof top projectiles and suggested they could do a step-back railing or planter to keep people from the edge and less likely to throw things over to the sidewalk. Board Member Wirth suggested the operation plan from Stout’s Patio be used to develop a plan of operation for The Pound. Ms. Cyphert noted that Staff will use that as a base for the operation plan if the Board is inclined to require one with the site plan submittal. Chairperson Monet stated he likes the vision and that the Planning Commission has a responsibility to do what’s in the best interest of the residents.

He noted we can use the existing noise ordinance and put in restrictions and suggested that Staff work with Kevin Montagano to put together a plan of operation.

**Moved by Mr. Wirth, seconded by Mr. Schillinger, recommend approval to allow roof top dining at 139 W. Main St.** The approval is subject to the following conditions:

1. That a plan of operation is required with the site plan submittal.

**The motion carried unanimously.**

Board Member Schillinger asked what the owners' time frame is for opening The Pound, and Mr. Tobbe responded they would like to be open by late spring, 2011.

### **Other Business**

#### **8. Siford/E. D. Ewing/Greimel Nominations**

Ms. Cyphert reviewed all of the nominations for the awards. After a brief discussion, it was decided to award the following:

E.D. Ewing Award – **Moved** by Mr. McLane, seconded by Wells, to approve 530 Spencer Road, owned by Larry and Kate Lawrence, for the E. D. Ewing award. **The motion carried unanimously.**

Siford Award – Moved by Mr. Schillinger, seconded by Wirth, to approve Panera Bread, 8365 W. Grand River, for the Siford award. **The motion carried unanimously.**

Karl H. Greimel Award – After a brief discussion regarding the eligible projects, it was agreed that none of them met all the criteria for the award. Moved by Mr. Petrak, seconded by Wirth, to not award a Karl H. Greimel award for 2010. **The motion carried unanimously.**

Ms. Cyphert stated the winners will be sent a letter advising them of the award and will be invited to the next Planning Commission meeting to receive their award.

#### **9. Staff Updates**

- a. Traffic Safety Board Liaison – Term Indefinite

As discussed in the Blue Sky session, Ms. Cyphert confirmed that the appointment to the Traffic Safety Board has an indefinite term.

Board Member Schillinger gave the Board an update to the recently approved electric car charging stations in response to a question by Mr. Wells about whether electric cars would be considered by the City when doing new construction site plan reviews. Mr. Schillinger stated that Brighton is one of three communities that he is aware of that applied for grants and will be working with Chargepoint to install three charging stations – one in the Municipal parking lot at City Hall, one in the North St. parking lot and one in the East St. parking lot.

#### **10. Call to the Public**

The call to the public was made at 8:35 p.m. with no response.

#### **11. Adjournment**

**Moved** by Mr. Petrak, seconded by Smith, to adjourn the meeting at 8:35 p.m. **The motion carried unanimously.**

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*John Wells, Secretary*

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*Lauri French, Recording Secretary*